REMARKS – General

By the above amendment, the applicant has claimed the invention more precisely to distinguish the invention from prior art. Independent claims 1, 6, and 11 have been updated. All claims remain in the application.

Rejection of Claims 1, 6, and 11 on Brown Overcome

The O.A. rejected independent claims 1, 6, and 11 on Brown. Independent claims 1, 6 and 11 have been rewritten to define patentably over this reference by more clearly defining what it means for said shape to be positioned on said shaft according to the invention described by the applicant. The applicant requests reconsideration of this rejection, as now applicable to the latest version of these claims, for the following reasons:

1. In the invention described by the applicant, the hour hand consists of two parts, said shaft and said shape. Said shaft looks like and functions as a regular clock hand whereas said shape serves to identify the correct hour numeral. Further it is prescribed that said shape must be attached to said shaft in a way that substantially maximizes the time where said shape correctly identifies the hour. In the device disclosed by Brown, there is a symmetric, transparent closed triangle shape on the end of the hour hand (16 figure 1). The center axis of the closed triangle shape is aligned with the center axis of the remaining part of the hand. The remaining part of the hand corresponds to said shaft, and the triangle corresponds to said shape. For Brown to teach the invention of the Applicant, the center axis of the triangle would have to be positioned off of the center axis of the remaining part of the hand so as to

maximize the duration of time that the correct hour numeral was within the boundary of the triangle. The triangle would have to be repositioned to the right in the figure with respect to the hand, or would have to be tilted counter clockwise. This off axis positioning and tilting of a symmetric shape to maximize the duration of correct numeral identification is depicted, for representative shapes, in 23, 24, 25 and 26 of figure 3 of the Application.

2. The device disclosed by Brown does not suggest the combination of the shaft and shaped tip which make up the hour hand in the application.

   The closed transparent shapes in the hour hand of the device disclosed by Brown do not indicate the correct hour by themselves, they merely add attractiveness to the clock and so don't teach the design of an opening in the hand as an indicator of the correct time.

The Dependent Claims 3, 8, 5 and 10 are a Fortiori Patentable over Brown

The O.A. rejected dependent claims 3 and 8 on Brown and dependent claims 5 and 10 on Brown and Spooner. The dependent claims 3 and 5 incorporate all of the subject matter of claim 1 and add additional subject matter. The dependent claims 8 and 10 incorporate all of the subject matter of claim 6 and add additional subject matter. This makes claims 3, 8, 5 and 10 a fortiori and independently patentable over Brown and claims 5 and 10 patentable over the combination of Brown and Spooner.

New Prior Art References that were Cited but not Applied

The prior Art references that were cited but not applied include Fewell, Morgan, Burg, Harris, and US 328,122. None of the references contain all of the elements of the Applicants invention. In addition, the hour hand shape, shown in the application, is not suggested by any of these patents. Fewell, Harris and Burg, in their figures, each show circular shapes which are centered on the axis of the hand to identify the correct hour. Therefore, if given a shape (such as a circle) their inventions do not describe or suggest a requirement to maximize the duration for which the correct hour numeral is identified. Consider the figure provided by Fewell, because the circular opening is symmetric and centered on the axis of the hand, the opening in the hand for the hour will identify the correct hour for half of the time that any given hour numeral is in the circular shape. This could be improved (as in the Applicants invention) by shifting the axis of the circle to the left in the figure. In so doing the clock would identify the correct hour for the entire time that the hour numeral is in the opening. Further, if the circular opening was circumferentially elongated (also depicted in the Applicants specification) in addition to being shifted off center, the opening in the hand would identify the correct hour numeral for even greater duration. Similarly Harris and Burg do not suggest maximizing the duration of correct numeral identification given the placement of the indicator openings. The Morgan patent shows a circumferentially elongated loop on the hour hand, but it is centered with respect to the shaft, hence doesn't maximize the duration of correct hour numeral identification, nor is any relationship shown to the hour indicia.

The O.A. lists US 328,122, which describes an ink bottle.

Conclusion

For the reasons given above, applicant respectfully submits that the claims define over the prior art under Section 102 and that the claimed distinctions are of patentable merit under Section 103.

Conditional Request for Assistance

Applicant submits that patentable subject matter is clearly present and that the claims of the application describe novel structure which is also unobvious, however, if for any reason this application is not believed to be in proper condition for allowance, applicant requests suggestions from the Examiner pursuant to M.P.E.P. 2173.02 and 707.07(j).

Very Respectfully,

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On Monday, August 7th 2006.

Inventors Signature: Janet Hopkins